

Revised FISCAL IMPACT STATEMENT ON BILL NO. **S. 1138**

(Doc. No. Unknown)

TO:	The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Rodney Grizzle, Allan Kincaid and Ken Brown		
DATE:	February 15, 2006	SBD:	2006092

AUTHOR:	Unknown	PRIMARY CODE CITE:	16-3-655
SUBJECT:	Sex Offender Monitoring		

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:
A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:
\$0 (No additional expenditures or savings are expected)

BILL SUMMARY:

Senate Bill 1138 amends the Code of Law of South Carolina, 1976, dealing with the active electronic monitoring of persons convicted of certain sex offenses involving a minor, who are released on Probation, Parole or Community Service Supervision. The Sections also create several new offenses and establishes the penalties for such offenses.

EXPLANATION OF IMPACT:

Department of Probation, Parole & Pardon Services (PP&P)

The Department indicates enactment would result in additional expenditures of \$4,162,825 in recurring personal service and operational cost in the first year and \$190,577 in non-recurring cost for the electronic monitoring of approximately 713 sexual offenders. The agency would require an additional 37.00 FTE's (29 Probation & Parole Agents, and 8 Support Staff for GPS Monitoring Unit) to maintain a 25 to 1 offender to agency ratio for a safe monitoring level. Over 60% of the annual recurring cost, approximately \$2.6 million is associated with the cost of leasing the GPS equipment at \$9.95 per day. The Bill requires offenders to pay for the cost of monitoring. The agency estimates first year collections may approach \$670,569 in offender fee revenues. Therefore, minimum first year net impact on the General Fund can be estimated at \$3,682,832 (\$4,162,825 + \$190,577 - \$670,569).

PP&P further estimates that enactment would require an additional \$1,940,425 annually in recurring personal service and other operational costs and \$71,994 in non-recurring for each of the next 25 years. This would be needed to hire 14.00 new FTE's each year to handle the additional monitoring responsibilities for approximately 345 additional Sex Offenders. These costs would be offset to extent PP&P is able to collect fees from the offenders which is estimated to increase by approximately \$324,355 annually. Costs are anticipated to increase on an annual basis for years twenty-six through forty.

Department of Juvenile Justice (DJJ)

The Department indicates that this Bill would require additional General Funds of the State totaling \$399,493 annually. The Department supervises approximately 110 juveniles daily. Active electronic monitoring devices cost \$9.95 per day (110 X \$9.95 X 365). This estimate only addresses the cost of the monitoring devices and assumes that DJJ would rely on a cooperative agreement with the Department of Probation, Parole and Pardon Services to monitor the devices and coordinate response to alerts.

Department of Corrections

The Department indicates this Bill would gradually increase its inmate population to the point where ultimately it would need to construct an additional 256-bed facility. The Department anticipates its inmate population will increase by approximately 290 by the year 2032 as a result of enactment of this Bill. Construction cost for a facility of this size is estimated at \$6,600,000. Operating expenses, including salary and fringe for additional staff, is estimated at \$4,046,000 annually.

Judicial Department

The Department indicates this Bill would have a minimal impact on the General Fund of the State, which can be absorbed by the agency at the current level of funding.

State Law Enforcement Division (SLED)

The State Law Enforcement Division indicates there will be a nonrecurring cost of \$56,000 to the General Fund of the State to incorporate changes in its protocol manual and database for the administration of the Sex Offender Registry.

Recapitulation

First year General Fund impact is estimated at \$3,891,749 in recurring funds and \$246,577 in non-recurring funds for a total first year impact of \$4,138,326 (including consideration of offender fee revenue). The Department of Probation, Parole & Pardon Services estimates that its cost would continue to increase by \$1,940,425 annually for years two through twenty five and by \$2,081,036 annually for years twenty-six through forty at which time the program is expected to mature and annual costs should stabilize.

In addition, the Department of Corrections indicates it will ultimately need to construct another facility to house the additional inmates. Construction of such a facility would result in additional annual recurring cost of \$4,046,000 and one-time construction cost of \$6,600,000.

LOCAL GOVERNMENT IMPACT:

None.

SPECIAL NOTES:

The Board of Economic Advisors is the appropriate entity to address the revenue impact associated with this or any other Bill.

The italicized portion of this impact indicates the items that have been revised. For this impact, the revised constitutes information that was not available in the original impact.

Approved by:



Don Addy
Assistant Director, Office of State Budget